



Strategy Update

A Newsletter on EPA's Hazardous Waste Minimization and Combustion Activities



Overall Waste Minimization and Combustion Strategy Finalized

On November 18, 1994, EPA released its Strategy for Hazardous Waste Minimization and Combustion. The Strategy is a major milestone in the Agency's effort to determine how best to integrate source reduction and recycling into the national hazardous waste program, and also how best to ensure safe operation of hazardous waste combustion facilities. This comprehensive plan is the culmination of 18 months of intensive work by EPA and other parties.

The Strategy sets forth EPA's goals and overall vision for the short-term future of waste minimization and combustion under the Resource Conservation and Recovery Act (RCRA). With source reduction and environmentally sound recycling at the top of the national agenda, the Strategy outlines actions to be taken over the next several years to maximize reduction and also to foster a broader range of effective waste management alternatives. The Strategy also includes measures to ensure the safe operation of hazardous waste combustion facilities.

At the core of EPA's Strategy are eight goals that serve as a framework for EPA's future actions in addressing waste minimization and combustion issues. The goals can be summarized as:

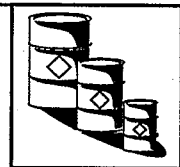
- **Public Outreach and EPA/State Coordination**—EPA will continue to facilitate an open national dialogue among states, industry, and local communities on significant issues. Top priority will be given to working with states as co-regulators of hazardous waste.
- **Waste Minimization**—EPA will strive to reduce long-term demand for treatment, storage, and disposal of hazardous waste by promoting waste minimization alternatives. In particular, EPA will work to involve

generators and the public in voluntary activities such as technology transfer and technical assistance, especially to smaller companies.

- **Combustion and Alternative Technologies**—EPA will foster the commercial development and use of safe, effective, and innovative treatment technologies to reduce industrial wastes, and will ensure that combustion is safely regulated.
- **Emission Standards and Controls**—Using the best available technologies and sound science, EPA will develop and impose rigorous controls on combustion facilities to ensure compliance with both RCRA and the Clean Air Act.

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WASTE MINIMIZATION



National Waste Minimization Plan Announced

On November 18, 1994, EPA announced the completion of its Hazardous Waste Minimization National Plan. This Plan affirms a national policy to prevent pollution and practice source reduction to the maximum extent feasible. The Plan establishes three goals:

- 1) To reduce, as a nation, the presence of the most persistent, bioaccumulative, and toxic constituents by 25 percent by the year 2000 and by 50 percent by the year 2005.
- 2) To avoid transferring these constituents across environmental media.

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COMPLIANCE AND ENFORCEMENT



EPA Announces Third Hazardous Waste Combustion Initiative

In November 1994, EPA announced its third compliance and enforcement initiative to help ensure that boilers and industrial furnaces (BIFs) and incinerators are operated safely. Coming on the heels of two prior combustion enforcement initiatives in 1993 and early 1994, this initiative entailed 32 enforcement actions generating \$7.5 million in penalties against owners and operators of incinerators and BIFs that burn hazardous wastes.

The initiative is an important component of EPA's ongoing efforts to minimize risks associated with the burning of hazardous waste. It places a high priority on conducting inspections of combustion facilities, both those that were not inspected in the previous year and sites previously found to be High Priority Violators. From March through September 1994, EPA and the states inspected 255 hazardous waste combustion facilities. Some facilities were inspected a number of times.

These inspection and enforcement actions reflect EPA's commitment to deterring incinerators and BIFs from violating RCRA combustion requirements and returning any violators to compliance. The actions also reflect the Agency's recognition of the public's interest in ensuring that facilities that burn hazardous waste do so properly. EPA will pursue guidance for facilities that is clearer and more user-friendly, and also will explore several avenues to increase public confidence and involvement, including:

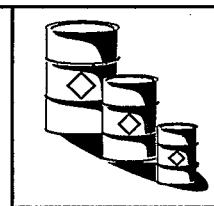
- (1) Incorporating provisions in hazardous waste settlement agreements to establish citizen advisory groups or publicly accessible "on-line" compliance monitoring systems.
- (2) Using pollution prevention provisions in enforcement consent agreements.

EPA Enforcement Penalties

In its third Hazardous Waste Combustion Initiative, EPA enforcement and compliance actions included the following:

- Ten administrative complaints were filed against the owners and operators of one incinerator and nine BIFs.
- Nine of the complaints were filed by EPA, and one was filed by the state of Michigan.
- Together, the 10 complaints propose that the violators be assessed \$4.2 million in civil penalties.
- Twenty-two settlement agreements were signed with three incinerators and 19 BIFs.
- Seventeen of the agreements were EPA cases, three were led by Georgia, and South Carolina and Utah each had one case.
- The 22 agreements together recovered \$3.3 million in cash penalties.
- The agreements also generated nearly \$1 million worth of Supplemental Environmental Projects (SEPs), environmentally beneficial projects performed by violators in exchange for partial penalty reductions.
- EPA and the states conducted 255 hazardous waste combustion facility inspections under the third Hazardous Waste Combustion Initiative covering 77 percent of the total universe of 333 facilities.
- Of the 255 inspected facilities, 115 were BIFs and 140 were incinerators.

WASTE MINIMIZATION



Strategy Finalized (Continued from page 1)

- **Enforcement**—EPA will continue aggressive compliance and enforcement efforts against hazardous waste boilers, industrial furnaces, and incinerators to safeguard public health and safety.
- **Facility Permitting Priority**—Highest permitting priority will be given to those existing facilities where final decisions have the greatest potential for realizing environmental benefits or reducing risk to the public.
- **Public Involvement in Permit Process**—Opportunities for public involvement in the combustion facility permitting and enforcement processes will be expanded.
- **Risk Assessment**—EPA will strive to ensure that permits protect against unacceptable risk using up-to-date, comprehensive methodologies.

Copies of the Final Strategy can be obtained by calling the RCRA Hotline at 800 424-9346.

Plan Announced (Continued from page 1)

- 3) To ensure that these constituents are reduced at their source whenever possible, or, when not possible, that they are recycled in an environmentally sound manner.

EPA does not expect that each and every generator will reduce the generation of these waste constituents by the levels and timeframes presented above. EPA intends for these reductions to be achieved nationally by states and generators working together.

To encourage flexibility in how industries will reduce waste so that the national goals are met, EPA expects all states and generators of hazardous wastes containing these constituents to define their own baseline years, set their own goals and target years for achieving their goals, and track their own progress toward their goals. This will allow states and generators that have already begun source reduction to measure their successes more appropriately, and will allow them to contribute to the national goals in the most effective manner possible for each facility. In the event that states and generators do not make significant progress toward the goals over a certain timeframe, EPA will consider whether a greater federal role is needed.

EPA Involves the Public

One of EPA's main goals in developing the Hazardous Waste Minimization and Combustion Strategy and the Waste Minimization National Plan was to incorporate the needs and wishes of various stakeholders, including the general public. To accomplish this, EPA held a series of meetings to focus on each of these key documents.

After releasing the Draft Hazardous Waste Minimization and Combustion Strategy in May 1993, EPA held both national and regional discussions over the course of one year with public interest groups, citizens, industry, state and federal regulators, and technical experts. These discussions focused on the goals of the strategy and covered a wide range of combustion-related subjects, including permitting, enforcement, and waste minimization. Summaries of these discussions of the Strategy are available through the RCRA Hotline at 800 424-9346.

In a separate set of discussions focused on the Draft Waste Minimization National Plan released in May 1994, EPA again sought input from stakeholders. The Agency held a three-day focus group/public meeting with "external stakeholders," a one-day meeting with states, and a one-day meeting with environmental groups. Input from stakeholders helped EPA to define and reach consensus on the Plan's objectives, which are as follows:

Objective 1: Develop a framework for setting national priorities, identify constituents of concern, and develop flexible screening tools for identifying priorities at individual facilities.

Objective 2: Promote multimedia environmental benefits and prevent cross-media transfers.

Objective 3: Demonstrate a strong preference for source reduction; shift attention to the nation's hazardous waste generators to reduce hazardous waste generation at its source.

Objective 4: Clearly define and track progress; promote accountability for EPA, states, and industry.

Objective 5: Involve the public in waste minimization implementation decisions.

Summaries of these special waste minimization meetings are available through the RCRA Hotline at 800 424-9346.



Fuel Blending Regulations and Restrictions

Fuel blenders (those facilities that commonly mix hazardous wastes for burning in boilers or industrial furnaces) must comply with a number of hazardous waste regulations under RCRA. EPA issued guidance in late October 1994, which is summarized below, to serve as the general clarification of the regulations covering fuel blenders. Since the operations performed by fuel blenders can be complex, however, facility-specific concerns will continue to be best addressed on a case-by-case basis. For more information, call James Michael of EPA at 703 308-8610 for permit-related matters, or Rhonda Craig of EPA at 703 308-8771 on matters related to Land Disposal Restrictions (LDRs).

■ **Permit Requirements**—Because fuel blending facilities often conduct storage and treatment activities, they are subject to full RCRA regulation (including permitting) with only very few exceptions. Facilities blending fuel in tanks or containers can be exempt from permitting, but only if the blending occurs at the site where the wastes being blended were originally generated. Additionally, some recycling operations at a fuel blending facility could be exempt from permitting, but not if the reclaimed materials are sometimes sent off site for use as a fuel.

■ **Air Emissions Standards**—Because fuel blenders typically manage wastes with high organic content, they must comply with standards that limit organic emissions from 1) process vents associated with distillation, fractionation, evaporation, solvent extraction, and air or steam stripping operations that manage hazardous wastes with 10 or more parts per million by weight of total organic concentration; and 2) leaks from equipment that contains hazardous waste with 10 percent or more by weight of total organics. In addition, with the promulgation of the Subpart CC standards (59 FR 62896, December 6, 1994), fuel blenders will need to place air emissions controls on any tank, container, surface impoundment, or miscellaneous unit that manages hazardous waste having an average volatile organic concentration equal to or greater than 100 parts per million by weight.

■ **Transfer Facilities**—Transfer facilities can store wastes in containers without RCRA permits for up to 10 days. If these facilities selectively blend hazardous waste fuels to meet a fuel specification, they must have a RCRA permit. (Transfer facilities include transportation-related sites such as loading docks, parking areas, storage areas, and other areas where shipments of hazardous wastes are held during the course of transportation.)

■ **Land Disposal Restrictions**—Offsite fuel blenders must comply with various notification, certification, and recordkeeping requirements under the LDRs if they become a generation source for a prohibited waste (e.g., if they combust a prohibited waste and produce ash residues), or if they treat or otherwise manage prohibited wastes. Prohibited wastes are ones that must be treated to meet certain standards before they can be land disposed. In some cases, a one-time notice and certification is sufficient; in other cases, full reporting of LDR information is required.

EPA Documents on the Internet

The following documents are available on the Internet via:
gopher.epa.gov
<http://www.epa.gov>

- *Strategy for Hazardous Waste Minimization and Combustion*
- *The Waste Minimization National Plan*
- *Addendum: Application of Waste Minimization National Plan Approach to the Combustion Universe*

To retrieve these documents once you are in the epa.gov server, take the following pathway:

- 1) EPA Offices and Regions
- 2) Solid Waste and Emergency Response
- 3) Office of Solid Waste
- 4) Waste Minimization and Combustion Strategy

From here, you can choose from the following categories of information: general, public participation and permitting, risk assessment, technical standards, and waste minimization. The documents above are listed in these five categories.